

U.S. DISTRICT COURT  
DISTRICT OF N.H.  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE 12: 11

Jonathan A. Perfetto  
Plaintiff

vs.

Docket No. 1: 14-cv-556  
Jury Demand

Dave Dionne, Supt.  
Hillsborough County  
Dept. of Corr, et al  
Defendants

COMPLAINT UNDER THE CIVIL RIGHTS ACT  
42 U.S.C. SECTION 1983

I Parties

1. Name Perfetto Jonathan A  
(Last) (First) (Initial)

2. Place of Detention New Hampshire State Prison for Men

3. Institutional Address P.O. Box 2828 Concord, NH 03302-2828

4. Are you incarcerated pursuant to a pretrial detention order or are you a sentenced inmate?

X Sentenced Inmate

5. Date pretrial order was issued or sentence imposed

December 19, 2011

B. Please provide the full name, current title, and address known for each defendant

1. Name	<u>Doe</u>	<u>Jane XZ</u>	<u>Unknown</u>
	(Last)	(First)	(Initial)

2. Title Mail Clerk

3. Address HCOX, 445 Willow St. Manchester, NH 03103

1. Name Ellis FNU Unknown  
(Last) (First) (Initial)

2. Title Field Training Officer

3. Address HCDCC, 445 Willow St, Manchester, NH 03103

1. Name Crowell FNU Unknown  
(Last) (First) (Initial)

2. Title Correctional Officer

3. Address HCDCC, 445 Willow St, Manchester, NH 03103

1. Name Goodyerez (Youngerone) FNU Unknown  
(Last) (First) (Initial)

2. Title Correctional Officer

3. Address HCDCC, 445 Willow St, Manchester, NH 03103

ER

1. Name Bayer FNU Unknown  
                   (Last)           (First)           (Unknown)

~~2. Title~~

2. Title Lieutenant

3. Address HQDAC, 445 Willow St., Manchester, NH 03103

1. Name Hiscoe Gifford Unknown  
                   (Last)           (First)           (Unknown)

2. Title Chief of Security/Captain

3. Address HQDAC, 445 Willow St., Manchester, NH 03103

1. Name Cusson Marc Unknown  
                   (Last)           (First)           (Initial)

2. Title Chief of Operation/Captain

3. Address HQDAC, 445 Willow St., Manchester, NH 03103

1. Name Ryan Denise Unknown  
                   (Last)           (First)           (Initial)

2. Title Medical Administrator

3. Address HCDoc, 445 Willow St. Manchester, NH 03103

1. Name Fuller Bill Unknown  
                   (Last)           (First)           (Initial)

2. Title Medical Supervisor

3. Address HCDoc, 445 Willow St. Manchester, NH 03103

1. Name Turnball Quentin Unknown  
                   (Last)           (First)           (Initial)

2. Title Psychiatrist

3. Address HCDoc, 445 Willow St. Manchester, NH 03103

1. Name Lucas FWA Unknown  
(Last) (First) (Initial)
2. Title Correctional Officer
3. Address HCDoc, 445 Willow St, Manchester, NH 03103

1. Name Dionne Dave Unknown  
(Last) (First) (Initial)

2. Title Superintendent

3. Address HCDoc, 445 Willow St., Manchester, NH 03103

## II. Statement of Claim

For each claim, please include the following information on attached sheets:

1. State which Federal Constitutional or Federal statutory rights have been violated.
2. State which defendant(s) have violated that particular right for each allegation.
3. State with specificity, the facts and circumstances that gave rise to the violations or deprivations alleged.
4. State the harm or damage that resulted from the alleged

violation or deprivation.

Allegation I No Tracking of Mail Sent As Indigent

a. The plaintiff's First and Fourteenth Amendments to the United States Constitution were violated in this allegation.

b. The defendants of this allegation are:

1. Jane Doe, Mail Clerk

2. Captain Marc Cosson, Chief of Operations

3. Dave Dornne, Superintendent

c. On several occasions during the plaintiff Jonathan Andrew Perfetto's incarceration at Hillsborough County

Department of Corrections from Monday, November 16, 2009 through Sunday, November 14, 2010, he went without one of his allowed weekly letters he can send as indigent.<sup>1</sup>

Hillsborough County Department of Corrections allows inmates who have less than \$2 in their accounts to mail three letters per week at no cost for postage to the inmate

- d. The plaintiff ~~suffered~~ from not having contact with members of his family, clergy, and other persons and professional contacts that he had during his stay at HCCDC<sup>2</sup>

<sup>2</sup> The plaintiff even logged mail he sent as indigent on paper and asked the unit officer if s/he would sign the log with the name and address of the letters the plaintiff



mailed as indigent and they refused,

## Allegation II No Tracking of Legal Mail

a. The plaintiff's First and Fourteenth Amendment to the United State's Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. Jane Doe, Mail Clerk X 2

2. Captain Marc Watson, Chief of Operations

3. Dave Dionne, Superintendent

c. While the plaintiff ~~was in~~ <sup>was in</sup> ~~detention~~ incarcerated at

Hillsborough County Department of Corrections, From Monday,

November 16, 2009 through Sunday, November 14, 2010,  
he would send legal mail to his former public defender  
Sarah Rethman, Bennett Martel, of New Hampshire  
Legal Assistance (his attorney on a civil matter against  
New Hampshire Health and Human Services, Barbara  
~~Steelman~~ ~~Keshen~~, and Barbara Keshen of New Hampshire  
Civil Liberties Union Foundation about once to two times  
per month.

C-2 On about November 23, 2009, the defendant  
sent a civil suit against New Hampshire Department of  
Corrections to Hillsborough County Superior Court, North, The

plaintiff had to write three times (over a five month period) to get a response from the court.

c.3. Some time in January 2010, the plaintiff asked his court ~~officer~~ ~~officer~~ FNU Goldman (not a defendant) if mail sent to attorney's and

court were logged in or back. He stated he was unsure and asked

the second floor Sergeant MURDOCK (also not a defendant).

Correctional Officer FNU Goldman later told the plaintiff

the jail does not log legal mail or to the courts.

d. By the defendants failing to come up with a plan to log legal mail sent out of this facility prevents inmates from providing

legal mail was ~~not~~ ever sent out.

### Allegation III Failure To Send Legal Mail Certified

a. The plaintiff's First, Sixth, <sup>Eighth</sup> and Fourteenth Amendments to the United States Constitution were violated by this allegation.

b. The defendant(s) of this allegation were:

1. Jane Doe Mail Clerk X2

2. Correctional Officer <sup>FNU</sup> Lucas or } 1 defendant

3. Field Training Officer FNU Ellis

4. FNU Montminy, Administrator

5. Captain Marc Cresson, Chief of Operations

6. Dave Dienne, Superintendent

c. On the evening of November 22, 2009, the plaintiff

either Correctional Officer Ed Lucas or Field Training Officer FTO Ellis (an African American Correctional Officer that works Second shift). If inmates are allowed to send mail certified to the courts. The plaintiff was told he could not do so.

c2. Sometime during the plaintiff's incarceration, the issue was grieved. Captain Marc Cusson, Chief of Operations replied "even though Pilgrimage, mail can be sent certified on a case by case basis, provided s/he has the proper fund in their account".<sup>3-5</sup>

3 The plaintiff wished to file a 42 USC § 1983 petition in Superior Court against New Hampshire Department of Corrections for allowing the plaintiff to be sexually assaulted, for negligence, as well as emotional distress.

4 The petition for the 42 USC § 1983 petition was

never acknowledge as received by the Superior Court at their Manchester Address because the plaintiff was not sure if the Court closed down for Asbestos<sup>TM</sup> removal. <sup>B</sup>

<sup>B</sup> The plaintiff assumed the petition got lost sometime during the move to the Southern District of Hillsborough County in Nashua, NH.

d. This allegation deprived the plaintiff of him having access to postal services, access to the courts, as well as cruel and unusual punishment due to the fact that being denied certified mail did not serve the penological interests of HCBDC since the plaintiff had sufficient friends in his account

#### Allegation IV Poor Request Form Format

<sup>se</sup> The plaintiff's First and Fourteenth Amendments

to the United States Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. Captain Marc Cursson, Chief of Operations

2. Dave Dionne, Superintendent

c. During the plaintiff's incarceration at HCOX from Monday, November 16, 2009 through Sunday, November 14, 2010, and also January 4, 2011 through December 14, 2011, the plaintiff filled out approximately 400 Inmate Request Forms during the first incarceration and about 300 IRFs of which about half were unanswered <sup>or had to</sup> ~~be~~ be rewritten.

during the first incarceration, and about 300 IRFs of which about half needed to be rewritten during the plaintiff's first incarceration and one-third during the latter.

c-2      Some time in February or March 2010, the plaintiff suggested to Lieutenant <sup>Kevin</sup> Cunningham (not a defendant) via an IRF that this form be redesigned to include carbon copies — an original for the inmate to keep for his/her records (Essex County Jail in Middleton, MA does this) without a response by prison rules written, a sent to copy, a response copy for the inmate, and one for his/her file. This was shut down as uneconomical. The plaintiff grieved this issue in March 2010



and the grievance was denied.

d. By the defendant not having a carbon copy Inmate Request Form

System, an inmate cannot prove a request form was filled out to

complete the second step in the grievance process of HCLDC's Grievance Policy.

d-2. Also, most of the time, inmates must fill out multiple IRT's

asking for the same thing; which not only wastes the inmate's time,

but staff's as well (and wastes paper, cost) because they

must read and sign off for all IRT's.

### Allegation V Poor Medical Request Form Format

a. The plaintiff's Eighth and Fourteenth

Amendments to the United States Constitution were violated  
by this allegation.

b. The defendants in this allegation are:

1. Denise Ryan, Medical Administrator

2. Bill Faller, Medical Director

3. Dave Dionne, Superintendent

c. During the plaintiff's incarceration at HJOC from  
November 16, 2009 through November 14, 2010 and  
also January 4, 2011 through December 19, 2011, the  
plaintiff, on average, filled out between one to  
three Medical (Sick Call) Request Forms per week.

c.2 The problem with the MRF's there is no space on the form for a response; so the inmate has to remember to remind the nurse at sick call two days after turning in a slip to find out what the disposition of the request was.<sup>6</sup>

<sup>6</sup> It is the DOC policy that medical staff can take up to 48 hours (2 business days) to answer a Medical (Sick Call) Request Form.

d. By the defendant's not having an adequate sick call Medical Request Form, inmates suffer more than they need to because most times the requests are not attended to in a timely fashion as per policy. (i.e. seeing Medical Doctor Dr. Masewicz, Psychiatrist Dr. Turnbull and Dentist

John Doe?

12

The average wait time to see Drs. ~~Turn~~ Turnbull and Masewicz or the Dentist John Doe is 10-12 weeks. There are on average 650 inmates at HEDC.

Allegation VI Denial of Facility Prescribing Medication's Prescribed By the Plaintiff's Primary Care Physician, Dr. Kiprop

a. The plaintiff's Eighth and Fourteenth Amendments to the United States Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. Dr. Matthew Masewicz, MD

2. Dr. Quentin Turnbull, Psychiatrist

3. Denise Ryan, Medical Administrator

4. Bill Fuller, Medical Director

5. Dave Dionne, Superintendent

c. Before becoming incarcerated at HCDCC on November 16, 2009 the plaintiff was on numerous medications for his general health and psychiatric issues.

c2. It is common practice for HCDCC<sup>15</sup> medical doctor Dr. Matthew Masawic to not prescribe medication that inmates were prescribed by their P.C.P. forcing them to detox off of the particular medications. As an example, despite numerous MRFs and a grievance

complaining about compulsive masturbation<sup>8</sup>

<sup>8</sup> The plaintiff is a confessed full-fledged sex addict and attended Sex Addicts Anonymous and Sex and Love Addicts Anonymous out in the community on a regular basis. This is why he asked Dr. Matthew Mosewic to prescribe the Depo Provera shots to curb his urges to masturbate and urges to masturbate and urges to molest children once released.

the plaintiff was never prescribed his Depo-Provera shots while incarcerated.

c-3 From November 16, 2009 through November 14, 2010, went without his Prozac and Risperidol and went through severe withdrawal symptoms such as suicidal ideation, nightmares, little sleep, depressed

mood and high anxiety. The plaintiff lost about 20 ~~pounds~~  
pounds in two months.<sup>9</sup>

<sup>9</sup>

The Honorable Court can ask any doctor, psychiatrist, nurse, or pharmacist as to what symptoms patients may suffer by not getting these medications.

G-4 When the plaintiff saw the defendant Dr. Matthew

Mosevic on January 11, 2010, he handed him a complaint the

plaintiff filed with the New Hampshire Board of

Medicine. Then the defendant referred his ~~see~~ psychiatric

care to Dr. Quentin Turnbull, the jail psychiatrist for a

consultation on the plaintiff's psychiatric medications.<sup>10</sup>

To

When the plaintiff handed the defendant  
his copy of the complaint filed against him with the New Hampshire

Board of Medicine after reading it said, "this case is too complicated for me." The plaintiff believes Dr. Masewicz did this ~~as~~ punishment for filing the complaint against him.

C5 The plaintiff met Dr. Quentin Turnbull on January 20 or 27, 2010 and he decreased the plaintiff's prozac due to the plaintiff lacking the ability to focus on tasks and not being able to concentrate. Defendant Dr. Quentin Turnbull also placed the plaintiff on a new medication called Remeron. He was started on 20mg to be taken at bedtime to help the plaintiff's depression and sleep disorder.

C6 On Wednesday, February 24, 2010, defendant Dr. Quentin Turnbull increased the plaintiff's Remeron to 40mg



to be taken at bedtime and discontinued the plaintiff's  
Prozac at his request due to him being extremely  
forgetful<sup>11</sup>

<sup>11</sup> When a person takes Prozac for a long  
period of time, [the plaintiff was on it for 8 years] s/he  
can lose the ability to remember things per defendant Dr.  
Quentin Turnbull

e-7. About April 16, 2010, the plaintiff saw defendant Dr.  
Quentin Turnbull and he told him the plaintiff thought he  
was going into a "manic" phase of his bi-polar condition.<sup>12</sup>

<sup>12</sup> The plaintiff thinks he just got off suicide watch  
around that time but is not sure.

Dr. Quentin Turnbull wanted to increase the <sup>plaintiff's</sup> ~~defendant's~~ <sup>plaintiff's</sup>

Tegretol, but he asked for him to prescribe a blood level first; because ~~in~~<sup>in</sup> 2005, the plaintiff had too high of a level and got sick. At the time he was on 600 mg at noon and 1000 mg at bedtime. The plaintiff's current dose (in 2010) was 800 mg twice daily.

C-8. About May 12, 2010, the plaintiff saw defendant Dr. Quentin Turnbull and he complained of not sleeping more than two to three hours per night for about the past two weeks.<sup>13</sup>

<sup>13</sup> About April 29, 2010, the plaintiff received a printout of possible side effects of taking Remeron (Sertraline) as raising the plaintiff's cholesterol. Cholesterol on Rousstain, a cholesterol reducing medication.

suicidal ideation, depressed mood and irritability all of which the plaintiff suffered from for more than three weeks and notified medical of this on a medical request form -- unsure of date --). Defendant Dr. Quentin Turnbull discontinued the plaintiff's Remeron, however, he prescribed nothing to him to treat his depression or insomnia issues.

Finally, after twenty-three nights of little sleep, the plaintiff slept more than six hours a night.

C-9. Sometime in June 2010, the plaintiff saw defendant Dr. Quentin Turnbull for his monthly check-up and complained about being moody and irritable, so he prescribed 1mg of Trilifon to be taken twice daily.

C-10 Sometime in the first half of July 2010, the plaintiff again saw defendant Dr. Quentin Turnbull at the Drs. request. The plaintiff told him he felt much better as far as his mood goes but felt hyper so ~~after~~ defendant Dr. Quentin Turnbull cut the doses of Trilifon in half to 1 mg tablet to be taken in the morning and scheduled another appointment in two weeks.

C-11 About two weeks later (still July 2010), the plaintiff does not remember the reason why defendant Dr. Quentin Turnbull did this but was placed on another medication on top of the Tegretol and Trilifon

called Lemectil. The dosage was as follows: 50mg for two weeks; then 100mg for two weeks; then 200mg ~~there~~ thereafter.

C-11 About August 6, 2010, the plaintiff was placed on suicide watch due to him banging his head on the back wall in his cell several times daily for the past three days and him writing this on a Medical (Sick Call) Request Form as well as having depressed mood and suicidal ideation.

C-12 About September 8, 2010, the plaintiff saw defendant Dr. Quentin Turnbull and he increased the plaintiff's Tegretol to 600mg twice daily from 400mg twice

daily.<sup>14</sup>

14

The plaintiff stopped taking his medication about the last week of August 2010 because he was sick and tired of medical either letting his medications run out or expire and he would have to wait up to four days to get his missing medications from the pharmacy.

613. When the plaintiff "maxed out" his one year sentence on November 14, 2010, he was given a prescription for his Tegretol and Buspar by defendant Dr. Quentin Turnbull via Nurse Laura Morrison (not a defendant) which was never filled because on November 15, 2010, the plaintiff was given samples from his PCP, Dr. Peter Kiprop of Manchester Community Health Center, 145 Hollis

St. Manchester, NH (603) 676-9500 for all prescriptions that the plaintiff was on before his incarceration [due to having no money or insurance yet [He was on SSI and Medicaid/Medicare before becoming incarcerated.]]

C-14 Then on January 3, 2011, the plaintiff LKA The Cadillac Motel, 502 Chestnut St. Room 321, Manchester, NH 03101-1416 called his doctor's office and left a message with nurse Sara LNU stating he was out of his medications. She called in all prescriptions to Rite-Aid Pharmacy on Elm St in Manchester, NH. However,

the plaintiff never got a chance to pick them up  
 due to him packing his belongings and cleaning the  
 plaintiff's room to get his \$150 security deposit  
 back.<sup>15</sup>

<sup>15</sup> The plaintiff was preparing to flee  
 New Hampshire as he knew the police were after  
 him because his laptop got seized at a local pawn shop  
 on Christmas Eve 2010 and child sex abuse images  
 AKA child pornography was found on it.

c15. On January 4, 2011, the plaintiff received a  
 phone call from Juvenile Detective Thomas Craig at  
 0800 hours, to discuss the laptop seizure. (He was due  
 to leave for Boston at 1700 hours. Reluctantly, the



plaintiff agreed to meet with him at HCDX.

C-6 At the conclusion of the interview, the plaintiff

was placed under arrest for possessing child sex

abuse images on his laptop computer and failure to

report his online identifiers. He was sentenced to two

ten-to-twenty year sentences running consecutive to

each other on December 19, 2011.

C-17 At the plaintiff's medical screening while at

HCDX on January 6, 2011, he filled out a release

form for his medical records and several medical

request form asking for his medication and whether or

not if his medications were in. He also eventually filed a grievance in a timely manner, when the MRI's got no satisfactory results

CR. At the time of the plaintiff's arrest on January 4, 2011, he was on the following medications to treat his bi-polar disorder, depression, anxiety, borderline personality disorder and paranoia illnesses,

1. Tegretol 400mg in the morning and 600mg in the evening. This medication was used to treat the plaintiff's bi-polar disorder

2. Risperidol 4mg at bedtime. This

Medication was used to reduce the plaintiff's  
passion and sex drive.

3. Elavil 100mg at bedtime. This  
medication was used to help the plaintiff have a  
good night's sleep.

4. Buspar 30mg twice daily. This  
medication was used to reduce the plaintiff's anxiety.

5. Prozac 80mg in the morning. This  
medication was used to treat the plaintiff's depression.

5-19. The plaintiff saw defendant Dr. Quentin  
Turnball in February 2011 and was only prescribed

his Tegretol and Buspar<sup>16</sup>

<sup>16</sup> Sometime in February 2011, the plaintiff was written up for hoarding his Buspar. What happened was he had a herpes outbreak that got infected, resulting in a fat lip. The end result was the plaintiff lost his Buspar.

The plaintiff appealed the hearings officer's decision to the Superintendent and lost. Disciplinary Decisions are not grievable per HDOC policy.

C-20. The plaintiff was on the following general health medications before becoming incarcerated at Hillsborough County Department of Corrections on January 4, 2011:

1. Naproxen 600mg p.r.n. for

Knee pain due to him being obese. He also used this medication for hip pain from surgery as a teenager. The new ailment started after this medication was prescribed for its original purpose

2. Lytrin 10mg to be taken at

bedtime. This medication prescribed because in March 2008, the plaintiff was diagnosed with a swollen prostate.

3. Synthroid 125mg to be taken

in the morning. This medication was prescribed because the plaintiff was diagnosed with hypothyroidism

in January 2000 at New Hampshire Hospital.

4. Pravastatin 20mg to be taken at bedtime. This medication was prescribed because the plaintiff was diagnosed with high cholesterol in July 2009.

5. Zantac 150mg to be taken in the morning and at bedtime. This prescribed because the plaintiff was diagnosed with acid reflux disease in 2006 while incarcerated at New Hampshire State Prison.

6. Depo Provera 1ml bottle to be

injected every two weeks. This plaintiff was prescribed this medication to reduce his sex drive. The plaintiff compulsively masturbates and has urges to molest children. He started this medication in August 2009 and detoxed when he became incarcerated from November 16, 2009 through November 14, 2010. The plaintiff started it again when released. ~~The plan~~ He had three doses by the time the plaintiff got arrested again on January 4, 2011.

The plaintiff was not put on all of his medications at the time of his incarceration for above

general health issues until seen by defendant Dr. Matthew Masewicz, M.D. in February 2011. <sup>17-19</sup>

<sup>17</sup> It is common practice for Hillsborough County Department of Corrections Medical Doctor to not prescribe medications that inmates were prescribed by their Primary Care Provider. The plaintiff was never ~~for~~ prescribed his Depo Provera shot while incarcerated and is a full-fledged sex addict. <sup>18</sup>

<sup>18</sup> The plaintiff even fill about several Medical Request Forms and he did file a grievance. The result of ~~the~~ grievance was if the plaintiff has more Medical information to provide, give it to medical staff so they can get his medical records to verify the medications the plaintiff is on. This was already done. It is against HCCDC Policy to appeal a grievance decision; once a decision is rendered, it is set in stone so to speak. Point being the plaintiff could not grieve defendant Dr. Matthew Masewicz denying giving him his



Depot Provera shots two-to-four months before  
maxing out his one year sentence, as it takes that  
long to take effect.<sup>19</sup>

19

The plaintiff even brought  
cell medication bottles from Rite-Aide with him  
when he became incarcerated on November 16, 2009.  
Nurse Laura Morrison (not a defendant) told him the  
jail could not use the pills as they have no way of  
knowing if the pills in the bottle are what the bottle  
states it is. However, medical staff could have  
called Rite-Aide to verify the plaintiff receives these  
medications without waiting to receive his medical records.

d. The plaintiff going without his medications  
for several weeks at the onset of each of his two  
incarcerations caused severe stress, anxiety, depression,  
suicidal ideation, as well as him getting sores on his penis

from the plaintiff frequently masturbating, which the Depo Rivera helped with as did the pouring of Risperdal.

Allegation VII Denial of Incoming Religious Material

- a. The plaintiff Jonathan Andrew Perfetto's First, Eighth, and Fourteenth Amendments to the United States Constitution were violated by this allegation.
- b. The defendants of this allegation are:

1. Jarne Dee, Mail Clerk X2
2. Captain Marc Cussion, Chief of Operations
3. Dave Dionne, Superintendent

c. In January 2010, the plaintiff received a yellow "contraband slip" stating that a bible and a book were rejected by the mail clerk because the package came by Federal Express. The bible was a King James Version and the book was 3 books-in-one titled "Book of Mormon", "Pearl of Great Price", and "Doctrine and Covenants".

c2 In February 2010, the plaintiff received a yellow "contraband" slip stating three volumes of Poems of Rebekah were denied. The Jail claimed that Gospel Messenger Service was not a bone fide

publisher. This was sent from Gospel Messenger Service and they did mail the plaintiff a letter stating they published their own materials. Gospel Messenger Service is in Lancaster, NH.

c-3. The plaintiff wrote an IRT to Captain Cusson, Chief of Operations stating he had a letter from Gospel Messenger Service proving they followed HOC Policy and was still denied. He then filed a grievance.

c-4. In March 2010, the plaintiff again received a yellow "contraband" slip stating pamphlets from Gospel Messenger Service were denied due to

multiple copies of the same pamphlet and intended for distribution which is not allowed.

c5. The mail policy of the Hillsborough County Department of Corrections states:

"... Any inmate correspondence including newspaper, magazines and books must be received from a publisher or bookstore via the United States Postal Service. Any correspondence received from a private courier or private mail agency (like Federal Express) will not be accepted."

(located on p. 7 para. 2 of the HCDCC 2005 edition of the

inmate handbook.)

- d. Not only was the plaintiff's Constitutional right to practice his religion violated by the mailroom refusing the above items, it constituted cruel and unusual punishment because the plaintiff knows Federal Express takes pride in the way they search their packages for possible contraband with all the X-Ray technology that is available in this day and age; HCR does not have a per se interest in isolating postal services. One is not better than the other. They are all the same.

Allegation VIII Medical Department Letting  
The Plaintiff's Medication Run out

a. The plaintiff Jonathan Andrew Perfetto's Eighth and Fourteenth Amendments to the United States Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. Denise Ryan, Medical Administrator
2. Bill Fuller, Medical Director
3. Dave Dionne, Superintendent

c. On November 16, 2009, the plaintiff was sentenced to one year at HCDCC for false report to a Corrections Officer. On several occasions Denise

Ryan, Medical Administrator allowed the plaintiff's medications to run out ~~or expire~~. He filed a grievance after each occasion,

c2. Also, while the plaintiff was incarcerated at HCDOC until November 14, 2010, the defendant Denise Ryan allowed his medications to expire about two to three times.

d. The plaintiff went through withdrawal symptoms on his medications and had to wait two to ~~for~~ three weeks before his level got normal again on his psychiatric medications.



## Allegation IX Safety Violations

a. The plaintiff, Jonathan Andrew Perfetto's  
as well as Title 42 USC 15601-  
Eight and Fourteenth Amendments to the United  
States Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. 1/0 FNU Crowell

2. 1/0 FNU Goadyerez (younger one)

3. 1/0 FNU Price

4. Lt. FNU Bayer

5. Capt. Gifford Hiscue, Chief of Security

6. Dave Dionne, Superintendent,

7. Bill Fuller, Medical Director

8. % Garding

c. In Mid-June 2010, defendant % FNU

Crowell allocated the classification inmates<sup>28</sup>

<sup>28</sup> Protective Custody Inmates shared<sup>ed</sup> with classification, special status, suicide watch, awaiting hearing and sometimes pc max inmates

to not lock in their cells, by not doing a round

before letting protective custody inmates for 8 p.m.

med pass. They were hanging out in the work-

out area on the top tier while the plaintiff and

other p.c.'s were waiting in line for their medication.

The plaintiff ~~looked~~<sup>turned</sup> around and looked up and they waved and laughed. The defendant must have heard them laughing and said to them, "What the ~~fuck~~? " Lock down now, and popped their doors open and shook his head in disbelief.

c-1 The plaintiff had filed a grievance and <sup>defendant</sup> never got a response. He did, however, speak to Captain Gifford Hiscor, Chief of Security about the incident and since the plaintiff was not injured, no action was going to be taken.

c-2 About May 8, 2010, the plaintiff

received a letter from then Superintendent James  
O'Mara<sup>Jr</sup> (now retired) stating that since more than  
thirty grievances were filed by him in a six month  
period, the plaintiff can only ask for a grievance  
for medical or safety issues only (see p. 18 of  
HCDX Inmate Handbook 2005 Edition.)

c-3 The plaintiff believes this is why his  
grievance was not answered or returned to him.  
(i.e. no physical harm was done to the plaintiff  
by the two inmates that did not lock in - so no  
safety issue, in the Captains or Superintendents'

eyes. The plaintiff disagrees.

c4 Then sometime in July 2010 Defendant Correctional Officer Goodyerez (younger one) allowed a classification inmate in cell 2034 out for dinner with the plaintiff and other ~~protective~~<sup>protective</sup> custody inmates. A grievance was requested via IAF, but it was denied due to ~~para. C-2~~<sup>Allegation IX</sup> para. C-2.

c5 Also, in July 2010, Defendant Correctional Officer FNU Price allowed the same inmate in 2034 out of his cell for S.A.M. med pass at the same time as the plaintiff and other protective custody inmates.

The plaintiff told the defendant of his ~~mis~~ mistake and ordered the inmate to return to his cell. The plaintiff was called a snitch and threatened to have piss thrown on him by ~~class~~ classification inmate John Doe. The inmate received a 24 hour lock up.<sup>21</sup>

<sup>21</sup> The plaintiff, at the time lived in cell 2038 lower bunk and is unaware if the inmate in question was written up. A unit officer or other Correctional Officer assisting him/her can give a "D" ticket sanction without being written up.

c6 Then in August 2010, defendant

Correctional Officer FNU Sappenza allowed a

classification inmate to be out of his cell while protective custody inmates and the plaintiff were conducting 8 AM med pass. When he did a round, the defendant noticed an inmate who lived in <sup>cell</sup> 2045 was using the phone. The inmate was ordered to lock in and was complied to immediately. <sup>22</sup>

<sup>22</sup> Cell 2045 was still open so defendant FNU Sappenza could have prevented this by checking his control panel switches as well as doing a round before letting the plaintiff and other protective custody inmates out of their cells for 8 AM med pass.

C-7 Starting on September 7, 2010, the plaintiff was getting harassed and assaulted with a wet towel on his bare back and sides by his cellmate Paul Dimmick. The plaintiff repeatedly told him to knock it off.

C-8 Later that night, the plaintiff woke up to Paul masturbating. He got up and said, "Do you mind?" and took a leak. The defendant then jumped off his bunk as the plaintiff was washing his hands. Then Paul said to the plaintiff, "I shot my load in my cup and you're



going to drink it. " The plaintiff retorted  
" You're fxxx'g crazy, no fxxx'g way" Paul  
then slapped the defendant with a backhand  
so he would not leave any marks. The plaintiff  
got a bloody nose. Then the female officer did  
a round and asked the plaintiff if he was  
okay and how he got the nose bleed. The  
plaintiff got scared and told the female officer  
that he is prone to bloody noses (which is true -  
it in his medical file)

c-9. As soon as she left, Paul grabbed the

cup, filled it with Kool-Aid<sup>TM</sup> and past it to the plaintiff and said, "Drink up, if you know what's good for you." Reluctantly ~~the~~ <sup>he</sup> drank the Kool-Aid<sup>TM</sup>

G-10 On the evening of September 8, 2010,

~~the~~ Paul and the plaintiff were playing poker for canteen (I agreed to give him two desserts as I was indigent). When Paul told his cellmate he was horny and wanted a blow job. The plaintiff looked into his eyes and Paul said, "I won't take no for an answer."

The plaintiff assumes he saw his hesitance.

So the plaintiff ~~was~~ complied out of fear of

getting assaulted again. He promised himself

the victim would write an IRF asking to be

removed from this cell the next day. Paul

demanded that the plaintiff let him ejaculate

in his mouth.

C11 On September 9, 2010, Paul Dimmick

woke ~~the~~ the plaintiff up by throwing a roll of

toilet paper at his scrotum. The plaintiff was

in his boxers and t-shirt as it was hot. So the

plaintiff  
 discreetly filled out an IRF later that evening  
 when Paul took a nap saying, "I'm being physically  
 and sexually assaulted by my cellmate Paul Dimmick,  
 could he please be moved." He turned in the IRF  
 to his unit officer, <sup>defendant</sup> Correctional Officer FNU ~~Crowell~~

Crowell<sup>23</sup>

<sup>23</sup> The plaintiff is not sure if  
 Correctional officer Crowell was the Unit Officer  
or relieving the unit officer on Break.

during 8 p.m. med pass. He did not read it, it was  
 set aside to read later. Nothing was done that

night.

C-12 Then on September 10, 2010, at about 0800 hours, the plaintiff's cellmate started roughhousing with him again by assaulting the plaintiff with a wet towel (he was topless due to the heat) and making a rat tail with it and giving him "purple nuckles" culminating to them to playing punch for punch against the plaintiff's wishes. Eventually, the plaintiff fought back to defend himself and let all his pent-up anger reach the surface and fought back to the best of his ability. Defendant FNU Goulding was the unit officer that

day.

C-13 When the plaintiff threw his first return punch, his right fist connected with the plaintiff's cellmate's right upper arm and turned inward. The plaintiff screamed so hard and thought he had broken his wrist and yelled "you son-of-a-bxxxxx." Defendant FNU Goulding did nothing.

C-14 At 12 p.m. med pass the plaintiff reported his wrist injury while getting his ibuprofen to Nurse Lynda LNU on first shift (not a defendant).

a defendant), Since the <sup>plaintiff</sup> ~~defendant~~ did not want to get into trouble, he lied about how the injury happened by stating the plaintiff fell off his bunk and tried to break his fall to prevent facial injury.

C-15 Then about 1420 hours on the same date, Field Training Officer (now Sgt. I not a defendant) was doing a round and the plaintiff told him that if his cellmate returned to this cell <sup>Paul</sup> (he was in the attorney room coming back from the gym) he was going to get stabbed with a

peril, Of course the plaintiff was transferred to RHC and written up for threatening his cellmate and a "Keep separate" was in place by classification until he maxed out on November 14, 2010

C-16 While awaiting hearing, the plaintiff wrote a letter to Paul Dimmick's "babymama" explaining that he made the plaintiff drink his sperm and that if she did not believe the plaintiff - he knew it tasted like Starburst<sup>TM</sup> Candy (he might have said it tasted froity.)



C-18 Point being, she and her mom came to the jail and spoke to Captain Hiscro, Chief of Security saying they do not want the plaintiff writing again or they will press charges.

C-18 The plaintiff wrote her to get "even" with Dimmick because he offered to help her win full custody of their child. The plaintiff did not know the mother was a minor.

C-19 On March 20, 2011, <sup>between 0700</sup> ~~at 1155 hours~~ and 0800 hours, (the plaintiff could not see the clock from his cell) and first shift was on but

before 8 AM med pass) the plaintiff was celled with inmate Walter Alexis. The plaintiff was sleeping and had a towel covering his eyes towards the back of his head because Walter wanted the bright light on to write a letter and the plaintiff wanted to sleep

C-20 After some time, the plaintiff woke up to Walter masturbating him and he ejaculated immediately as he was having a sexual dream, when the plaintiff realized what Walter ~~the on March 21, 2014~~ was doing, he told him to not do that ever again.

C-21 Then on March 24, 2011, at about 1155 hours (the plaintiff and Walter Alexis just locked in from conducting out of cell time on unit 2B as a protective custody maximum security inmate.) within a minute or two of that time the plaintiff and his cellmate started arguing. Walter was sitting at the desk facing the plaintiff who was on his side in bed facing his cellmate. After a few minutes of arguing, Walter Alexis shoved the plaintiff's head into the wall causing it to swell at his left temple area. It took two to three

weeks to heal

C-22 Then about March 22, 2011, the plaintiff filled out an IRI asking for a grievance form and was given one by Sgt Gordon. It was investigated by defendant Captain Gifford Hixee and the plaintiff never got a final disposition.

C-23 Then about March 23, 2011, wrote an IRI for a grievance form and did not receive it. This was done because the plaintiff felt he should not be housed with a physically

and sexually aggressive inmate. Again, the plaintiff never received one. So on April 4 or 5, 2011, he wrote another IRI requesting a grievance form and defendant Lt. FNU Boyer spoke with the <sup>plaintiff</sup> ~~defendant~~ that afternoon and explained if the plaintiff does not tell staff of a problem with any inmate (the plaintiff did not know inmate Walter Alexis or his reputation at the time they became cellmates about March 16, 2011), then the plaintiff can be celled with any protective custody inmate so this request for a

grievance ~~form~~<sup>was</sup> frivolous and was asked to write an IRF to withdraw the grievance request to which the plaintiff complied out of fear for being written up which could hinder his chances of getting out of maximum security.

d. There are numerous safety violations that the defendants committed - some so blatant (the two PREA violations) that staff need to be retrained on how to handle multiple classification units or do not have them. As far as the physical and sexual abuse by inmates

goes; staff need to be retrained on how to handle sexual assaults

### Allegation 8 Improper Mail Procedures

a. The plaintiff's First and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendants of this allegation are:

A. Capt. Marc Leson, Chief of Operations

B. Dave Dionne, Superintendent

c. The plaintiff was incarcerated at HTOC from November 16, 2009 through

November 1st, 2010 and again from January 4 through December 19, 2011. From time to time he received "yellow" contraband" slips for reasons varying from multiple copies (religious material) to letters written in pencil to ~~a~~ package being shipped by Federal Express.

GZ The Constitution guarantees inmates to practice their religion. And the Bible requires people to preach the "good news of God's Kingdom. Sometimes this involves



giving out tracts, Bibles, or pamphlets.

Doing this is against the DOC policy

because all incoming property has the inmates

name and ID number on the inside cover

for security purposes. Acts 5:29 states,

"Then Peter and the other Apostles said,

'We ought to obey God rather than men.'"

(KJV) Also, Matthew 28:19, 20 states, "Go

ye therefore and teach all nations, baptizing

them in the name of the Father, and of the Son, and

of the Holy Ghost.<sup>28</sup> Teaching them all things

whatsoever I have commanded you; and lo, I am with you always, even unto the end of the world. Amen" (KJV). Finally, 1 Corinthians 1:17 states, "For Christ sent me [Paul] not to baptize but to preach with wisdom of words [speech] lest the Cross of Christ should be made of none effect (KJV 1908th Anniversary Edition)

The plaintiff suffered from loss of contact with his mom, denial of reading a Bible (it was shipped by Federal Express) for two months

and not allowed to preach the Gospel, which affected his relationship with Jehovah God.

### Allegation XI Loss of Freedom

a. The plaintiff's Fifty Eighth and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendants of this allegation are:

A. Denise Ryan, Medical Administrator

B. Bill Fuller, Medical Director

C. Dave Donne Superintendent

C. When the plaintiff, Jonathan Andrew Bertetto, was found guilty of false report to a Corrections Officer and sentenced to one year at HCDoc on November 16, 2009, he was prescribed 1ml shot of Depo-Provera every two weeks since July 2009 to curb his ~~frequent~~ frequent masturbation and his urges to molest children, which he did have before being prescribed the medication.

C-2 When the plaintiff saw defendant Dr. Matthew Mosewitz on January 11, 2010,

he told him about being on the controversial drug and explained he currently had problems with compulsive masturbation and fantasized about undressing children when masturbating and he refused to prescribe the Depo Provera.

6-3 When the plaintiff maxed out his one year sentence ~~on~~ on November 19, 2010, the next day he got an emergency appointment to see his Primary Care Physician Dr. Peter Kiprop at Manchester Community Health Center, 145 Hollis St, Manchester, NH 03101

(603) 626-9500 and was seen to start the Dep Rivera shots again.

About December 3, 2010, the plaintiff  
lapsed<sup>24</sup>

<sup>24</sup> Sex Offender Treatment  
Providers define a lapse as an event that  
can lead to reoffending.

and bought a laptop from WH Pawn<sup>25</sup>  
Elm St in Manchester for \$20 and a leather canyon

bag for \$20.<sup>25</sup>

<sup>25</sup> The plaintiff says he lapsed  
because in 2007 he was convicted for  
possessing child pornography on his laptop  
computer. However, he did not plan to reoffend

due to the fact he had a Fourteen-to Twenty-Eight year suspended sentence with conditions of no contact with minors and no access to the internet.

c-4 The plaintiff further testified when a neighbor offered to allow him to use his WIFI connection for \$10 per month on about December 8, 2010,

c-5 The plaintiff relapsed by downloading child sex abuse images (the new term for child pornography) two days later. He was arrested on January 4, 2011 and held on \$100,000 cash bail. On December 19, 2011

the plaintiff was sentenced to Twenty to Forty with Three-and-a-half to Seven years suspended for five years once released.

G6 The plaintiff lost control of his sexual impulsivity<sup>26</sup>

<sup>26</sup> Even though the plaintiff was getting his Depo Provera shots, it takes twelve to sixteen weeks to get the proper medical effect

by not getting his medication (Risperidol &

Depo Provera) during his 2009-10 incarceration

which led him to commit his current

offense. Now he has lost his freedom to live



a productive member of society for a minimum of Twenty years (served Thirty-four months so far) and also lost his ability to earn a living.

d. As a result of this sentence, it is likely the plaintiff will be institutionalized and not want to be released into society when he is eligible for parole on January 5, 2030.

### Allegation XII Destroying Legal Discovery

a. The plaintiffs Sixth, Eighth and Fourteenth  
a. Amendments to the U.S. Constitution were violated by

this allegation.

b. The defendants of this allegation are:

A. Lt. FNU Robbins

B. Capt. Marc Cusson, Chief of  
Operations

C. Dave Dionne, Superintendent

c. While incarcerated at HRC from

January 4, 2011 through December 9, 2011 the

pro se plaintiff, Jonathan Andrew Perfitto,

prepared his 42 USC § 1983 in his cell and typed it

in the law library over a six month period<sup>26</sup>

26

It took the plaintiff so long due to the fact he had a bible study during one of his scheduled days each week with Jehovah's witnesses. Inmates at the DOC are scheduled law library at the minimum required by the U.S. Supreme Court - 2 days a week for two hour sessions.

C-1 Sometime in September or October 2011, the plaintiff made copies of his lawsuit at a cost of \$150 (thirty pages times twenty-five cents) plus he was forced to use the US Postal Service to serve the defendants instead of using in-house defendants mail, ~~for~~ per, Captain Marc Cusson and Lt. FNU Robbins. The bill was \$36.32, The plaintiff

has his receipt.<sup>27</sup>

27 The plaintiffs intentions were to file this suit in Hillsborough County Superior Court, Northern District instead of federal court.

c-2 The plaintiff made the error of serving the law suit to each defendant without a formal summons from the Hillsborough County Sheriff's Department, violating the local Court Rules of the Superior Court.

c-3 The plaintiff wrote a letter to Dave Dionne about December 15, 2011 asking for the copies to be returned to him at the prison as he was

he was being sentenced on the 19th and gave  
him his ID# as prison ID#s do not change

c4 When the plaintiff did not get a response. So

Some time in January 2012, the plaintiff wrote to

Dave Dionne again. This time he responded that

all copies were destroyed<sup>28</sup>

<sup>28</sup>

The plaintiff still possesses  
this letter.

d. By the defendant's requiring to have the  
plaintiff utilize the United States Postal Service  
instead of In-House Mail caused an unnecessary  
expenditure to him. The same goes for Sept, Dionne

by ordering all copies of the plaintiff's suit destroyed.

d-1 By the defendant's doing above, the plaintiff had to retype his lawsuit causing a delay in the plaintiff's constitutional right to access the courts.<sup>29</sup>

<sup>29</sup> When the plaintiff moved to the Mental Health block on April 29, 2011 at Northern NH Correctional Facility in Berlin, NH, the law library's only typewriter broke in June, and was in situ when he originally filed this suit in October 2012. Now the plaintiff currently only gets one hour of law library a week due to being in mental health groups in the prison's Residential Treatment Unit.

Allegation XIII Medical Administrator Not Doing

Her Job Correctly

a. The plaintiff's Eighth and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendants of this allegation are:

A. Denise Ryan, Medical Director

B. Bill Fuller, Medical Director

C. Dave Dionne, Superintendent

c. On numerous occasions during the prose plaintiff, Jonathan Andrew Bertetto's incarceration at HCNec from November 16, 2009 through November 12,

2010 and again from January 4, 2011 through December 19, 2011, defendant Denise Ryan allowed his medications to run out or expire.

c-1 Upon entry at HCPDC during the plaintiffs both incarcerations, we had to detox off of his medications, which any patient/inmate should not do as some medications have serious side effects when a person stops taking his medication.

d. By the defendant's committing this allegation, the patients' medication level



frequently dropped and took longer to get the full benefit his medication. By him being forced to most of detox off his medication, he got little sleep was irritable, and was not well behaved

#### Allegation XIV Correction's Officials Releasing A Suicidal Inmate

a. The plaintiff's Eighth and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendants of this allegation are:

A. Field Training Officer FNU Mackey (sp?)

B. Sgt. John/Jane Doe (FTC)

Markey's Supervisor

C. Christine Melnick

D. Captain Gifford Hiscose, Chief  
of Security

E. Denise Ryan, Medical Administrator

F. Nurse Laura LNU

G. Bill Fuller, Medical Director

H. Dave Dionne, Superintendent

c. When the prose plaintiff, Jonathan Andrew  
Beretto, moved out his one year sentence for false

report to a Corrections Officer on November 14, 2010, he was on suicide watch wearing a safety smock and housed in the Restrictive Housing Unit Awaiting Hearing for insubordination to % Lefty (not a defendant).

c-1 At no time while being processed out by defendants FTO Mackey and Nurse Laura LNU (she gave me a prescription for the medication Dr. Turnbull had me on at the time) did he get a referral to Emergency Services at Manchester Mental Health nor was the local police department notified. The

plaintiff at the time, was not aware that  
Greater Manchester Mental Health had a 24 hour  
Emergency Hotline ~~30-29~~

~~30-29~~ The plaintiff was released on a  
Sunday

so he called his mom. ~~30~~

~~30~~ If she was not home, the plaintiff  
was going to end his life by jumping over the  
Granite St. Bridge and plunge into the strong  
current of the Merrimack River. The plaintiff  
is not a good swimmer and knows of rocky areas  
to land where he would get injured

and she answered the phone and he told her the  
plaintiff was upset and needed to talk so he came

came over and she had him spend a few days  
until he could find a place to live.

G2 The plaintiff's mother was not aware  
of Emergency Services either so the plaintiff  
made an emergency appointment with his  
primary care physician and was seen the next  
day (Tuesday) the plaintiff was released on a  
Sunday) and given all of his medications and ~~the~~  
referred to Emergency Services in case  
something happened in the future.

~~do~~ By the plaintiff not being referred to

emergency services through Greater  
 Manchester Mental Health, he did not get  
 immediate mental attention. This put the  
 community in danger because back in 1993  
 and 1995, the plaintiff has been homicidal  
 when not treated by mental health in ~~Manchester~~  
 Manchester

31 In the past, Greater Manchester  
 Mental Health has refused the plaintiff treatment.

at Point being, if the plaintiff's mother was  
 not home, the plaintiff could have bought a  
 BB gun at Wal-Mart and used it to hold

people hostage as an attention getting

Allegation XIV Assault By A Staff  
Member

a. The plaintiffs Eighth and Fourteenth Amendments to the US Constitution were violated by this allegation.

b. The defendant's of this allegation are:

A. Field Training Officer FNU

Pleasanton

B. Sgt. Jane/John Doe CFTO

Pleasanton's Supervisor

C. Captain Gifford Hiscue,

Chief of Security

D. Dave Dionne, Superintendent

E. Lt. FNU Reilly

etc. On the evening of November 30, 2010

at about 9:30 p.m.<sup>32</sup>

<sup>32</sup> The plaintiff could be wrong as far as the time of day, he is going to rely on discovery to get the exact time as strip searches are part of the daily activity log.

numerous staff were conducting strip searches<sup>33</sup>

<sup>33</sup> Unit 2B houses RHD and maximum security inmates the plaintiff was housed in cell 5 awaiting hearing therefore was susceptible to



on demand strip searches at least once per day -  
Sometimes once per shift

c-1. When it was time for the plaintiff  
to strip, he was told to face the wall next to his  
cell door (inside the cell) and put his arms behind  
his back interlocking his fingers, so he  
could get handcuffed. So he could be escorted  
out of cell <sup>so</sup> and his cell could be searched. The  
plaintiff complied with all orders.

c-2 Lt. Riley, Sgt. Brown and Correctional  
Officer FNU Plumbin (now Field Training

Officer) were conducting the searches. The plaintiff believes one or two more "white shirts" were there as well, but does not remember whom else. The plaintiff believes the cameras should reveal who was there on that evening during the strip search.

03 Defendant Correctional Officer

Plumtin (now Field Training Officer) handcuffed the plaintiff and placed ~~him~~ <sup>him</sup> facing the wall to the left of his cell door on the pad and searched his cell.

c4 While the plaintiff <sup>in the cell was</sup> ~~and placed~~ being  
 searched, defendant Lt. FNU Riley asked the  
 plaintiff, "I hear you're leaving us tomorrow."  
 The plaintiff said, "Yes, I am. I can't  
 wait." Then defendant <sup>it</sup> FNU Riley said, "So  
 are you going to touch kids or download kiddie  
 porn again?" The plaintiff said ("be a wise  
 ass") "You <sup>better</sup> ~~better~~ ~~xxxxxxx~~ believe it" ~~de~~  
 Defendant Lt. FNU Riley then called the  
 plaintiff a "freak" and told him to get in his cell  
 and face the back wall.

ab The plaintiff was told to take off his safety mask by a voice he recognized as defendant Correctional Officer FUU Plaintiff (now Field Training Officer) <sup>34</sup>

<sup>34</sup> The plaintiff was on suicide watch since about November 19, 2014,

and as he turned to face the defendant, he started talking saying, "so you're going to makest kids look." Then as the plaintiff <sup>defendant</sup> faced, Correctional Officer (now Field Training Officer), he punched him so hard in the right eye the plaintiff lost his footing. The plaintiff again

decided to be a wise ass and said "Is that all you got, that didn't even phase me." The plaintiff got what he deserved - another punch in the eye and the plaintiff fell to the ground and defendant Correctional Officer (Now Field Training Officer) said, "If I see you on the street, I will cut your balls off" <sup>35</sup>

<sup>35</sup> While the assault occurred, defendant Lt. FALU Rilely, Sgt. FRED Brown, and an unknown officer were blocking the cell doors so the camera could not see what was going on.

C-6 The next day during med pass, Nurse

Laura Morrison (defendant) uses carding  
metal pass and escorted either by Correctional  
Officer Maloney or Correctional Officer Barbera  
and she and he wanted to know how the  
plaintiff got his black eye and abrasion on his  
upper forehead. The plaintiff was afraid to  
say anything because %s protect each other. Also  
Laura promised the officer was bound to keep  
what he said confidential by HIPAA. So the  
plaintiff told the truth.

c-7 At 9:30 A.M. on the 11th of

December 2010, Sgt. FNU Gordon and Sgt. FNU Books escorted the plaintiff to Booking to be processed out. On the way in a secure hallway where no trustees have no access, the plaintiff was pulled aside by Sgt. FNU Gordon (not a defendant) and asked out of concern, "Tell me what happened." The plaintiff again hesitated. Again, Sgt. FNU Gordon pleaded with the <sup>plaintiff</sup> ~~defendant~~, "I have a mortgage, I don't care about protecting the 'code'. Now please tell me who did this."

The plaintiff said, "100 Percent." "Thank you. Now that wasn't so hard. Don't worry, I will investigate this," Sgt. F.W. Gordon said.

The plaintiff could not apply for a part-time job for two weeks, until his eye and abrasion on his forehead were healed. In fact, the plaintiff got referred for a position as a cashier at Hess on Massachusetts St. in Manchester, but the plaintiff turned down the job because he was too embarrassed about what happened. The plaintiff realizes his



his own mouth got him into trouble and perhaps he may have proved defendant Correctional Officer Crow Field Training Officer FURTHER into him punching the plaintiff again, but he is an adult and wears a badge; was on duty and abused that authority.

### DEMANDS

1. For Allegation I NO TRACKING OF MAIL SENT AS INDIGENT, the pro se plaintiff Jonathan Andrew Perretto, asks this <sup>honorable</sup> court for

Injunctive Relief by having the Court approve the enclosed form marked as Exhibit I with Hillsborough County Department of Corrections letterhead on it.

2. Also, the prose plaintiff asks this Honorable Court for Nominal Damages in the amount of \$5 against each defendant and for each occurrence for HCDC officials not having a way to keep track of their inmates' mail that they send as indigent, totaling \$45 (three defendants and three separate occasions.)

3. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$1,000 against each defendant and for each occasion for HCDoc officials not having a way to track of their inmates' mail that they send as indignant, totaling \$6,000.

4. Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$2,000 against each defendant and for each occurrence for HCDoc officials not

having a way to keep track of their inmates' mail that they send as indigent, totaling \$12,000; for a grand total of \$18,045 <sup>allegation</sup> for this.

5. For Allegation II NO TRACKING OF LEGAL MAIL, the pro se plaintiff, Jonathan Andrew Perfetto asks this Honorable Court for ~~Ind~~ Injunctive Relief by having the court approve enclosed form marked as Exhibit II with Hillsborough Department of Corrections letterhead on it.

6. Again, the pro se plaintiff asks this

Honorable Court For Nominal Damages in the amount of \$5 against each defendant and for each occurrence for HCDOC officials not having a way to log both incoming and outgoing legal mail, totaling \$20 (three defendants and one occurrence.)

7. Again, the pro se plaintiff asks this ~~Honorable~~ Honorable Court For Compensatory Damages in the amount of \$1,000 against each defendant and for each occurrence for HCDOC officials not having a way to log both incoming and outgoing

legal mail, totaling \$4,000

8. Finally, the pro se plaintiff, asks this Honorable Court for Punitive Damages in the amount of \$2,000 against each defendant and for each occurrence for HONOR officials not having a way to log both incoming and outgoing legal mail, totaling \$12,020 for this allegation.

9. For Allegation III FAILURE TO SEND MAIL CERTIFIED, the pro se plaintiff Jonathan Andrew Perfetto, asks this Honorable

Court for Injunctive Relief by the Court ordering the defendants to allow inmates to send mail certified, provided the inmate has sufficient funds in their account.

10. ~~Again~~ <sup>Also</sup>, the prose plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for NCDC officials denying the plaintiff to mail a ~~lawsuit~~ certified to Hillsborough County Superior Court; even though he had sufficient funds in his

account, totaling \$60 (5 five defendants and one occurrence.)

11 Again, the prose plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$1,000 against each defendant and for each occurrence for HCDoc officials denying the plaintiff to mail a <sup>certified</sup> lawsuit to Hillsborough County Superior Court; even though he had sufficient funds in his account, totaling \$6,000

12 Finally, the prose plaintiff asks this



Honorable Court for Punitive Damages in the amount of \$2,000 against each defendant and for each occasion for HODC officials denying the plaintiff to mail a lawsuit certified to Hillsborough County Superior Court, even though he had sufficient funds in his account, for a grand total of \$18,000 for this allegation.

13. For Allegation IV POOR REQUEST FORM

FORMAT, the pro se plaintiff Jonathan

Andrew Perfenz, asks this Honorable Court for

Injunctive Relief <sup>the</sup> to approve enclosed form

marked as Exhibit D with Hillsborough  
County Department of Corrections letterhead on  
it.

14. Also, the plaintiff asks this Honorable  
Court for Nominal Damages in the amount  
of \$10 against each defendant and for each  
occurrence for HC DOC officials not having a way  
to prove the plaintiff's Inmate Request Forms  
were written, forcing him to write repeat IRFs  
for the same reason, totaling \$240. (two  
defendants and twelve occasions)

15. Again, the prose plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$1,500 against each defendant and ~~for each occurrence~~ <sup>for each occurrence</sup> for HC DOC officials not having a way <sup>to prove</sup> the plaintiff's IRFs were written; forcing the plaintiff to write repeat IRFs ~~for~~ <sup>for</sup> the same reason, totaling \$36,000.

16. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$3,000 against each defendant and for each occurrence for HC DOC officials not having a

way to prove the plaintiff's IRFs were written;  
 forcing him to write repeat IRFs for the same  
 reason, totaling \$72,000. The grand total is  
 \$108,240 for this allegation.

17. For Allegation V POOR MEDICAL

REQUEST FORM FORMAT, the pro se plaintiff,

Jonathan Andrew Brifette asks this Honorable  
 Court for Injunctive Relief to have the enclosed  
 form marked as Exhibit IV with Hillsborough  
 County Department of Corrections letterhead on it.

18. Also, the pro se <sup>plaintiff</sup> ~~defender~~ asks this Honorable

Court for Nominal Damages in the amount of \$10 against each defendant and for each occasion for HCDoc officials not replying to his Medical Request Forms in a timely manner, totaling \$300 (three defendants and twelve occurrences).

19. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$1,500 against each defendant and for each occurrence, for HCDoc officials not replying to his MRF's in a timely manner, totaling \$54,000.

20. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$3,000 against each defendant and for each occasion for HCDoc officials not replying to his MRFs in a timely manner, totaling \$108,000; for a grand total of \$162,360 for this allegation.

21. For Allegation VI DENIAL OF FACILITY  
PRESCRIBING MEDICATIONS PRESCRIPTED  
BY THE PLAINTIFF'S PHYSICIAN, DR.  
KIPROP, the prose plaintiff <sup>Jonathan</sup> ~~asks this~~  
<sup>Andrew Perfetto</sup> ~~Honorable for~~, ask this Honorable Court for

Injunctive Relief by having the Court order HCDOC officials to come up with a policy that ensures incoming inmates to get all prescribed and medication by their PCP or psychiatrist.

22. Also, the prose plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for the following reasons:

a) Upon arrival at HCDOC on November 16, 2009, defendant Dr. Matthew Masewic did not prescribe the plaintiff's Pristig, Risperadol, and

Deo Provera shots.

a-1) Defendant Denise Ryan is also liable for this allegation for <sup>her</sup> not contacting the plaintiff's pharmacy to confirm his current medications as well as defendants Bill Fuller and Dave Dionne for having such a policy

b) On January 11, 2010, defendant Dr. Matthew Masewic referred the plaintiff's treatment to defendant Dr. Quentin Turnbull, forcing him to wait longer to get psychologically stabilized on psychiatric medication. He did



This because he handed him his copy of a  
complaint the plaintiff sent to the NH Board of  
medicine.

c) On January 4, 2011, defendant  
Dr. Matthew Masevic forced the plaintiff to  
detox off of his, Risperadol, <sup>the plaintiff's</sup> Elavil and  
Depo Provera shots upon his arrival at HCDCC.

c-1) Also, defendant Denise Ryan is  
liable for this allegation for her not contacting  
the plaintiff's pharmacy to confirm his current  
medications as well as defendants Bill Fuller and

Dave Dionne for having such a policy.

d) Not all general health medications were prescribed by defendant Dr. Matthew Masewicz until seen by him in February 2011.

d-1) Also, defendant Denise Ryan is liable for this allegation for not contacting the ~~plaintiff's~~ plaintiff's pharmacy to confirm his current medications as well as defendant Bill Fuller and Dave Dionne for having such a policy.

e) Defendant Dr. Quentin Turnbull neglected to prescribe anything when the

plaintiff filled out an MRF sometime in  
or May  
April 2010 stating he could not sleep resulting in  
twenty-three days of little sleep.

e-1) Also, defendant Denise Ryan  
is liable for this allegation for not notifying Dr.  
Turnball of the plaintiff's problem or failing to  
schedule a sooner appointment as well as defendant's  
Bill Fuller and Dave Dionne under the supervisor  
liability clause.

f) About May 12, 2010, defendant  
Dr. Quentin Turnball discontinued the plaintiff's

Remeron, but gave nothing to him for his depression and insomnia issues.

g) During the plaintiff's 2009-10 incarceration, defendant Dr. Quentin Turnbull prescribed three different medications (Remeron, Trilifon, and Lemectil) that did not work.

h) When the plaintiff saw defendant Dr. Quentin Turnbull in February 2011 for his intake, he only prescribed two (Tegretol and Buspar) of the four medications the plaintiff was on upon admission to HCDCC, totaling ~~\$240~~<sup>\$340</sup> ~~\$350~~ \$600

23. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$2,000 against each defendant and for each occurrence due to the following reasons:

a) Upon arrival at HCDoc on November 16, 2009, defendant Dr. Matthew Nosewic did not prescribe the plaintiff's Risperadol, Pristiq, and his Depo Provera shots.

a-1) Defendant Denise Ryan is also liable for this allegation for not contacting the plaintiff's pharmacy to confirm his medications,

as well as defendants Bill Fuller and Dave Dionne for having such a policy.

b) On January 11, 2010, defendant Dr. Matthew Masevic referred the plaintiff's treatment to defendant Dr. Quentin Turnbull, forcing him to wait longer to get stabilized on psychiatric medication. He did this because the plaintiff handed him his copy of a complaint he sent to the NH Board of Medicine.

c) On January 4, 2011, defendant

Dr. Matthew Magewic forced the plaintiff to detox off of his Risperadol, Elavil and the Plaintiff's Depo Provera Shots upon his arrival at HCDCC.

c-1) Defendant Denise Ryan is also liable for this allegation for not contacting the plaintiff's pharmacy to confirm his current medications as well as Bill Fuller and Dave Dionne for having such a policy.

d) Not all the plaintiff's general

health medications were prescribed by defendant Dr. Mathew Masewic until the plaintiff was seen by him in February 2011.

d-1) Also, defendant Defendant Denise Ryan is liable for this allegation for her not contacting the plaintiff's pharmacy to confirm the plaintiff's medications as well as <sup>defendants</sup> ~~Bill~~ Fuller and Dave Dionne for having such a policy,

e) Defendant Dr. Quentin Turnbull neglected to prescribe anything when the



plaintiff filled out an MRF sometime in April or May 2010 stating he could not sleep, resulting in twenty-three days of little sleep.

e-1) Also, defendant Denise Ryan is liable for this allegation for not notifying Dr. Turnbull of the plaintiff's problem or failing to schedule a sooner appointment, as well as defendants Bill Fuller and Dase Dionne under the supervisor liability clause.

F) About May 13, 2010, defendant

Dr. Quentin Turnbull discontinued the plaintiff's Remeron, but gave nothing to him for his depression, and bi-polar issues.

g) During the plaintiff's 2009-10 incarceration, defendant Dr. Quentin Turnbull prescribed three different medications ~~that did~~ (Remeron, Trilifon, and Lemectil) that did not work.

h) When the plaintiff saw defendant Dr. Quentin Turnbull in Feb 2011 for his intake, he only prescribed two (Tegretol and Buspar) of

The four medications the plaintiff was on upon arrival to HCOCC, totaling \$120,000

24. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$400,000 against each defendant and for each occurrence for the following reasons:

a) Upon arrival to HCOCC on November 16, 2009, defendant Dr. Matthew Masevic did not prescribe the plaintiff's Risperidol, Pristiq, and his Depo-Provera shots.

a-1) Also, defendant is liable for this

allegation for not contacting the plaintiff's pharmacy to confirm his current medications as well as defendant's Bill Fuller and Dale Dierme for having such a policy

b) On January 11, 2010, defendant Dr. Matthew Mazewicz referred the plaintiff's treatment to Dr. Turnbull, forcing the plaintiff to wait longer to get stabilized on psychiatric medication. He did this because the plaintiff handed him his copy of a complaint he sent to the NH Board of medicine.

c) On January 4, 2011, defendant Dr. Matthew Masevic forced the plaintiff to detox off of his Risperadol, Elavil, and the plaintiff's Depo Provera shots upon his arrival to HCDoc.

c-1) Also, defendant Denise Ryan is liable for this allegation for not contacting the plaintiff's pharmacy to confirm his medications, as well as defendants Bill Fuller and Dave Dionne for having such a policy.

d) Not all of the plaintiff's general

health medications were prescribed by defendant Dr. Matthew Masewic until the plaintiff saw him in February 2011.

d-1) Also, defendant Denis Ryan is liable for this allegation for not contacting the plaintiff's pharmacy to confirm his medications as well as defendant's Bill Fuller and Dave Dionne for having such a policy

e) Defendant Dr. Quentin Turnbull neglected to prescribe anything when the plaintiff filled out an MRF sometime in April

or May 2010 stating he could not sleep,  
resulting in twenty-three days of little sleep.

e-1), Also, defendant Denise Ryan is  
liable under this allegation for not notifying  
Dr. Quentin Turnbull <sup>of the plaintiff's problem</sup> ~~in February 2011 for his~~

or for failing to schedule a sooner appointment  
as well as Bill Fuller and Dave Diemne under  
the supervisor liability clause.

f) About May 12, 2010, defendant Dr.  
Quentin Turnbull discontinued the plaintiff's  
Remeron, but gave nothing for his depression

and bi-polar issues.

g) During the plaintiff's 2009-10 incarceration, defendant Dr. Quentin Turnbull prescribed three different medications (Remeron, Trilifon, and Leametil) that did not work.

h) When the plaintiff saw defendant Dr. Quentin Turnbull in February 2011 for his intake, he only prescribed two (Tegretol and Buspar) of the four medications the plaintiff was on upon admission to HCDoc, totaling \$240,000 for a grand total of \$360,000.



for this allegation.

25. For Allegation VII DENIAL OF

INCOMING RELIGIOUS MATERIAL, the

pro se plaintiff, Jonathan Andrew Perfitto asks

this Honorable Court for Injunctive Relief by

having the Court order HECR officials to

accept incoming mail by UPS or Federal

Express.

26. Also, the plaintiff asks this ~~#~~

Honorable Court for Nominal Damages in the

amount of \$/0 against each defendant and for

each occurrence for HCDOC officials denying the plaintiff's incoming religious material on three separate occasions, totaling \$120 (~~\$~~ four defendants and three occasions).

27. Again, the prose plaintiff asks this Court for Compensatory Damages in the amount of \$2,500 against each defendant and for each occurrence for HCDOC officials denying the plaintiff's incoming religious material, on three separate occasions, totaling \$30,000.

28. Finally, the prose plaintiff asks this

Honorable Court for Punitive Damages in the amount of \$5,000 against each defendant and for each occasion for HC Dec officials ~~not~~ denying the plaintiff's incoming religious material on three separate occasions, totaling \$60,000; for a grand total of \$90,120 for this allegation.

29. For Allegation VIII MEDICAL ~~DE~~ DEPARTMENT LETTING THE PLAINTIFFS MEDICATION RUN OUT, the prose plaintiff, Jonathan Andrew Perfetto, asks

this Honorable Court for Injunctive Relief  
by ~~having~~ <sup>ordering</sup> HC Doc officials to come up with a  
policy to ensure inmates medication are  
~~reordered~~ <sup>reordered</sup> in a timely manner to ensure  
their medications do not run out.

③ Also, the prose plaintiff asks this  
Honorable Court for Nominal Damages in the  
amount of \$10 against each plaintiff and  
for each occurrence for HC Doc officials  
allowing the plaintiff's medication to run out or  
expire on several occasions, totaling \$150 (three

defendants and five occasions),

31. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$3,000 against each defendant and for each occurrence for HC DOC officials allowing the plaintiff's medication to run out or expire on several occasions, totaling \$45,000.

32. Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$6,000 against each defendant plaintiff and for each occurrence for HC DOC

officials to allow the plaintiffs ~~are~~  
 medications to run out or expire on  
 several occasions totaling \$90,000 for this  
 allegation, for a grand total of \$135,150  
 for this allegation.

33. For Allegation IX Safety Violations,  
 the prose plaintiff, Jonathan Andrew  
 Perfetto, asks this Honorable Court for  
Injunctive Relief by ordering <sup>defendants</sup> Captain  
 Gifford Hiscoe and Dave Dionne to retrain  
 Corrections Officers work unit 24 to prevent

Further breaches of security.

34 Also, the pro se plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for the following reasons:

a) During the plaintiff's 2009-10 incarceration, ~~the~~ defendants % FNU Crowell, % <sup>FNU</sup> Gualyerez (younger one), % FNU Price, and % FNU Scappenzza made one security breach by letting the plaintiff,

a protective custody inmate, intermingled with general population inmates.

b) In September 2010 defendants % FNU Crowell and % FNU Goulding failed to protect the plaintiff from his cellmate Paul Dimmick.

c) On April 4 or 5, 2010, defendant Lieutenant FNU Boyer forced the plaintiff to fill out an IRF to withdraw his request for a grievance for being harassed with a physically and sexually



aggressive inmate.

d) During the plaintiff's 2009-10 and 2011 incarcerations defendants Bill Fuller, Captain Gifford Hiscobe and Dave Dionne failed to do anything about the four security breaches and/or the physical ~~and~~ and sexual assaults by former inmates Paul Dimmick and Walter Alexis <sup>totaling \$400</sup> <sub>of</sub>.

35 <sup>Again</sup> ~~the~~, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$3500 against each

and for each occurrence  
defendant, for the following reasons:

a) <sup>D</sup>During the plaintiff's 2009-  
10 incarceration defendants, % FNU Crowell,  
% FNU Goodyere (younger one), ~~and~~ % FNU  
Price, and % FNU Suppenza made one  
secrecy breach by letting the plaintiff,  
a protective custody inmate, intermingle  
with general population inmates.

b) In September 2010, ~~defendant~~  
defendants % FNU Crowell and % FNU  
Goulding failed to protect the plaintiff from

his cellmate Paul Dimmick,

c) On April 4 or 5, 2010, defendant  
FNU Boyer forced the plaintiff to fill out  
an IRF to withdraw his request for  
a grievance for being housed with a  
and sexually  
physically aggressive inmate.

d) During the plaintiffs 2009-10 and  
2011 incarcerations, defendants Bill Fuller,  
Captain Gifford  
~~Dave Dionne~~ Hiscoe, and Dave Dionne failed  
to do anything about the four security breaches  
and/or the physical and sexual assaults by

former inmates Paul Dimmick and ~~Walter~~ Walter Alexis, totaling \$140,000

3. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$7,000 against each ~~occurrence~~ defendant and for each occurrence for the following reasons:

a) During the plaintiff's 2009-10 incarceration, defendants % FNU Crowell, % FNU Goodyerez (younger one), % FNU Price, and % FNU Sappyeenza made one security breach by

letting the plaintiff intermingle with general population inmates.

b) In September 2010, defendants %  
FNU Crowell and % FNU Goulding failed to protect the plaintiff from his cellmate Paul Dimmick.

c) On April 4 or 5, 2010, defendant Lieutenant FNU Boyer forced the plaintiff to fill out an IRF to withdraw his request for a grievance form ~~for~~ being housed with a physically and sexually aggressive inmate.

d) During the plaintiff's 2009-10 and 2011 incarcerations, defendants Bill Fuller, Captain Gifford Hiscoe, and Dave Dionne failed to do anything about the four security breaches and/or the physical and sexual assaults by former inmates Paul Dimmick and Walter Alexis, totaling \$280,000 for a grand total of \$420,400. For this allegation,

37. For Allegation X IMPROPER MAIL PROCEDURES, the prose plaintiff Jonathan Andrew Perfetto, asks this

Honorable Court For Injunctive Relief by the Court ordering HeDOC officials to change their mail policy to allow incoming mail from UPS and Federal Express.

38. Also, the pro se plaintiff asks this Honorable Court For Nominal Damages in the amount of \$10 against each defendant and for each occurrence for HeDOC official having an improper mail policy compared to other correctional facilities in the area, totaling \$50 (two defendants ~~three~~ three occurrences)

39. Again, the pro se plaintiff asks this ~~Honorable~~  
Honorable Court for Compensatory Damages  
in the amount of \$4,000 against each  
defendant and for each occurrence for HCDCC  
officials having an improper mail policy  
compared to other commercial facilities in the  
area, totaling \$20,000.

40. Finally, the pro se plaintiff asks this  
Honorable Court for Punitive Damages in the  
amount of \$8,000 against each defendant  
and for each occurrence for HCDCC officials having



an impermail policy compared to other correctional facilities in the area, totaling \$40,000; for a grand total of \$60,000 for this allegation.

11. For Allegation XI Less of Freedom,

the pro se plaintiff, Jonathan Andrew

Perfetto, asks this Honorable Court for

Nominal Damages in the amount of \$10

against each <sup>defendant</sup> ~~plaintiff~~ and for each

<sup>reason</sup> ~~cause~~ <sup>MEDEL officials</sup> for not having prescribed the

plaintiff's Depo Rivera Cor (not ordering

medical to do so.), a female hormone given

to ~~sex~~ sex offenders to curb their urges to molest children and to frequently ~~master~~ masturbate during his November 2009 to November 2010 incarceration, causing the plaintiff to have urges to molest a child

before being released, and when he was released, <sup>the plaintiff</sup> committed five felonies:

(possessing child sex abuse images aka child pornography). Since the plaintiff did not have a strong enough level of Depo Power in his system, ~~and~~ therefore losing

his freedom for a minimum of twenty years,  
 totaling \$80 (Four defendants and two reasons)

42. Also, the prose plaintiff asks this  
 Honorable Court for Compensatory Damages  
 in the amount of \$7,800,000<sup>36</sup>

<sup>36</sup> The plaintiff arrived at this  
 figure by calculating \$1,000 a day for twenty  
 years (including five leap years)

against each defendant and for each reason

for HCDCC officials not having the plaintiff's

Diagnosed  
 Depe Pevera, (or not ordering medical to do so)

a female hormone given to sex offenders to

curb their urges to molest children and to frequently masturbate during his November 2009 to November 2010; causing the plaintiff to have urges to molest a child before being released, and when he was released, the plaintiff committed five felonies (possessing child sex abuse images aka child pornography) since the plaintiff did not have a strong enough level of Depo Provera in his system; therefore losing his freedom for a minimum of twenty years, totaling ~~\$90 for four defendants~~

\$62,400,000.

43. <sup>Again</sup> ~~Also~~, the pro se plaintiff asks this

Honorable Court for Special Compensatory

Damages in the amount of \$500,000<sup>38</sup> ~~000~~.

<sup>38</sup> The reason why the plaintiff asked for special compensatory damages is due to the fact it is hard to tell if <sup>he</sup> ~~the plaintiff~~ would be kicked off SSI by finding full-time work with the help of Vocational Rehabilitation. The plaintiff has used their services in the past with success in getting thrown off Social Security benefits in 2000 (he made too much money at his job to still continue his monthly benefit). This was the plaintiff's last job. He was a Planting cashier for Gilbs Gas station (now Hess), which meant he was not assigned to any one location. The plaintiff went where he was needed.

in the amount of \$500,000 for HCDNC officials  
not having the plaintiff's DepoProvera<sup>provided</sup> (or not  
ordering medical lido so), a female hormone  
given to sex offenders to curb their urges and  
to frequently masturbate during his November  
2009 to November 2010; causing the plaintiff  
to have urges to molest a child before  
being released, and when he was released, he  
committed five felonies (possessing child sex  
abuse images aka child pornography) since the  
plaintiff did not have enough DepoProvera in

his system; therefore losing his freedom  
for a minimum of twenty years, totaling  
\$4,000,000.

44: Finally, the prose plaintiff asks this  
Honorable Court for Punitive Damages in the  
amount of \$11,700,000 (for the Compensatory  
damages) and \$6,000,000 (for the Special Compensatory  
Damages) against each defendant and for each  
reason for HCDC officials not having the  
plaintiff's Depo Povera prescribed Cor. ordering  
medical (to dose), a female hormone given to

sex offenders to curb their urges and to frequently masturbate during his November 2009 to November 2010; causing the plaintiff to have urges to molest a child <sup>before being</sup> ~~once released~~ released, he committed five felonies (grossing child sex abuse images aka child pornography) since the plaintiff did not have enough Depo/Perera in his system; there losing his freedom for a minimum of twenty years totaling \$166,420,000; for a grand total of \$168,800,000 for this allegation.

45 For Allegation XII Destroying Legal



Discovery, the pro se plaintiff, Jonathan Andrew Perfetto, asks this Honorable Court for Nominal Damages in the amount of \$40

against each defendant and for each occurrence for defendant's destroying the plaintiff's

lawsuit he wished to file in Hillsborough County Superior Court, North and for having to use the United States Postal Service to mail his lawsuit to the defendant's.

46. Also, the pro se plaintiff asks this Honorable Court for Compensatory Damages

in the amount of 186.32 against each  
and for each reason  
defendant, for defendant's destroying the  
plaintiff's lawsuit that he wanted to file in  
Hillsborough County Superior Court, North and  
for having to use the United States Postal Service  
to mail his lawsuit to the defendants, totaling  
\$1,117.92.

47. Finally, the pro se plaintiff asks this  
Honorable Court for Punitive Damages in the  
amount of 999,999.99 against each defendant  
and for each reason for defendant's destroying

the plaintiff's lawsuit ~~to~~ that he wanted to file in Hillsborough County Superior Court, North and for having to use the United States Postal Service to mail his lawsuit to the defendants, totaling  $\$5,999,999.94$   ~~$\$6,001,118.96$~~ , for a grand total of  $\$6,001,118.96$

48. For Allegation XIII Medical Administrator Not Doing Her Job Correctly, the prose plaintiff, Jonathan Andrew Peretto, asks this Honorable Court for Injunctive Relief by having this court order defendants Bill Fuller

and Dave Dionne to develop a plan to make sure appointments are made to see Dr. FNU Turnbull when he request to see the patient in their chart as well as developing a plan to prevent a patients prescription for psychiatric medication from running out.

49. <sup>Also,</sup> The pro se plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each reason for defendants failure to

schedule the plaintiff to see defendant Dr.

Quentin Turnbull on at least ten occasions,<sup>38</sup>

<sup>38</sup> The plaintiff reserves the right to amend ~~this~~ <sup>the</sup> amount of occasions once discovery is completed

for allowing ~~the plaintiff's~~ <sup>his</sup> medication to expire

on ~~at least~~ <sup>at least</sup> two occasions.<sup>39</sup>

<sup>39</sup> see footnote 38

and for allowing the plaintiff's medication to

run out on at least ten occasions<sup>40</sup>

<sup>40</sup> see footnote 38

during ~~the~~ his 2009 incarceration, totaling <sup>420</sup> ~~360~~

50. Again, the prose plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$4,500 against each defendant <sup>defendants</sup> and for each reason for failure to schedule ~~the~~ him to see defendant Dr. Quentin Turnbull on at least two occasions, for allowing the plaintiff's medication to expire and for ~~allowing~~ ~~the~~ ~~plaintiff's~~ ~~medication~~ ~~to~~ ~~expire~~ ~~on~~ ~~at~~ ~~least~~ ~~ten~~ ~~occasions~~ ~~during~~ ~~his~~ ~~2009~~ ~~incarceration~~, totaling \$67,500

51. Finally, the prose plaintiff asks this

Honorable Court for Punitive Damages in  
 the amount of \$9000 against each defendant  
 and for each reason for defendant's not  
 scheduling the plaintiff to see defendant Dr  
 Quentin Turnbull on at least two occasions, for  
 allowing the plaintiff's medication to expire  
 on at least two occasions, and for allowing ~~the~~  
 his medications to ~~take~~ expire on at least ten  
 occasions, totaling \$135,000 for a grand total of  
 \$20242 for this allegation.

52. For Allegation XIV BOOKING OFFICER

RELEASING A SUICIDAL INMATE,

the prose plaintiff, Jonathan Andrew ~~Reff~~, asks this Honorable Court for Injunctive

Relief by ordering defendants to develop a plan on how to deal with inmates that max out on suicide watch and be approved by this court.

53. Also, the prose plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each reason for defendant's releasing him who was on special watch without a referral to receive mental health



Services on the outside on November 14, 2010  
and for not having Mental Health see the plaintiff  
before he moved out, totaling \$140.

54. Again, the prose plaintiff asks this  
Honorable Court for Compensatory Damages  
in the amount of \$5,000 against each  
defendant and for each reason for defendants  
releasing him, who was on special watch without  
a referral to receive mental health services on  
the outside on November 14, 2010 <sup>and</sup> ~~and~~ for not  
having mental health see the plaintiff before

he maxed out, totaling \$70,000..

55. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of ~~\$10,000~~ \$10,000 against each defendant and for each reason for defendants releasing him while on suicide watch on November 14, 2010 and for mental health not seeing the plaintiff before he maxed out, totaling \$110,000 for a grand total of \$210,140 for this allegation.

56. For Allegation XV ASSAULT BY A STAFF MEMBER, the prose plaintiff

Jonathan Andrew Perfetto, asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each reason for the plaintiff % FNU Plaintiff ~~that~~ harassing, physically assaulting, ~~him~~ twice and for threatening the plaintiff which all occurred on November 13, 2010,<sup>41</sup>

<sup>41</sup> All other defendants are held liable by the Supervisor Liability Doctrine ~~liable~~ totaling \$200.

51. Also, the prose plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$500,000<sup>42</sup>

42 The plaintiff asks for ~~the~~  
Compensatory Damages in the six figures is due  
to the fact that defendant % FNU Plamtin used  
his authority ~~as~~ as a % when he committed his  
offenses against the plaintiff.

5 against each defendant and for each reason for

defendant % FNU Plamtin (now FNU

Training Officer) harrasing the plaintiff, physically

assaulting him <sup>twice</sup> and threatening the plaintiff which all

occurred on November 13, 2010, totaling \$10,000,000.

57 Finally, the prose plaintiff asks this

Honorable Court for Punitive Damages in the amount

of \$1,000,000 against each defendant and for each

reason for defendant % FNU Plaintiff (new Field Training Officer) harassing the plaintiff, physically assaulting him twice, and for threatening the plaintiff, which all occurred on November 13, 2010, totaling \$20,000,000. The grand total is \$30,000,200 for this allegation.

### Amendment To Demands

1. The prose plaintiff, Jonathan Andrew Perfetto, wishes to strike the Injunctive Relief Sought for Allegation VII DENTAL OF INCUMING RELIGIOUS MATERIAL

to:

a) For Allegation VII DENIAL OF  
INCOMING RELIGIOUS MATERIAL, the  
pro se plaintiff, Jonathan Andrew Perfetto, asks  
this Honorable Court for Injunctive Relief by  
having the Court order HCDOL officials come  
up with a policy that allows inmates to share  
religious material with other interested inmates  
but balance security interests.

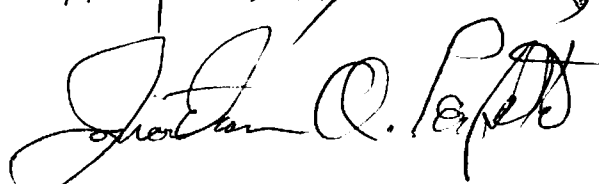
### Amendment

1 The pro se plaintiff, Jonathan A. Perfetto

Wishes to amend this complaint as follows:

2. Sometime in March or April 2011, defendants Capt. Gifford Itisroe and Bill Fuller spoke to the plaintiff rather extensively to investigate his allegations of being sexually assaulted by Walter Alexis. They met in the attorney room of unit 2B and spoke for about an hour.
3. The plaintiff wishes to add above paragraph to Allegation IX SAFETY VIOLATIONS after para. C-23.

In closing, the pro se plaintiff,  
Jonathan Andrew Perfetto, sues all defendants  
both in their official and individual capacities.  
The final total of this civil complaint is  
\$207,487,422.86.

Respectfully Submitted,  
  
Jonathan A. Perfetto

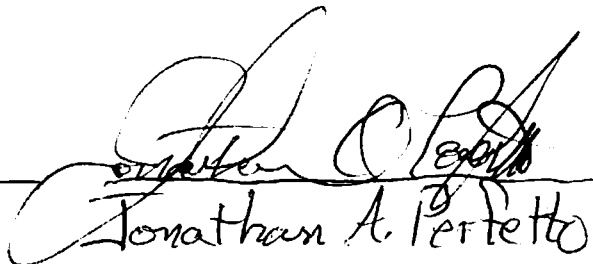
I, Jonathan Andrew Perfetto, declare



under penalty of perjury that the  
foregoing is true and correct to the best of  
my knowledge.

December 8, 2014

December 8, 2014

  
Jonathan A. Pertetto

U.S. DISTRICT COURT  
DISTRICT OF N.H.  
FILED

2014 DEC 15 P 12:11

Jonathan A. Perfetto

73040

Northern NH Correctional Facility

138 E. Milan Rd.

Berlin, NH 03570-3565

December 8, 2014 / Kislev 16, 5775 (Jewish Calendar)  
Mailed 12/9/14 / 3/16/75

James R. Starr

Clerk of Court

US District Court

55 Pleasant St.

Concord, NH 03301-3941

RE: Enclosed Complaint

Dear Clerk:

I apologize that the enclosed complaint does not conform to  
Local Rules. This is sold in my canteen.

Respectfully,



Jonathan A. Perfetto

JS 44 (Rev. 12/12)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Jonathan A. PerettoU.S. DISTRICT COURT  
Hills County Dept. of Corr.  
FILED(b) County of Residence of First Listed Plaintiff Coos  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |   |   |   |
|---|---|---|---|
| Citizen of This State                   | PTF <input checked="" type="checkbox"/> 1 DEF <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 <input type="checkbox"/> 2                               | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input type="checkbox"/> 5         |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 3                               | Foreign Nation  | <input type="checkbox"/> 6 <input type="checkbox"/> 6         |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

<del>CONTRACT</del>	<del>TORTS</del>	<del>FORFEITURE/PENALTY</del>	<del>BANKRUPTCY</del>	<del>OTHER STATUTES</del>	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<del>REAL PROPERTY</del>	<del>CIVIL RIGHTS</del>	<del>PRISONER PETITIONS</del>	<del>IMMIGRATION</del>		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions		

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☒ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC Section 1983

Brief description of cause:

Medical mistreatment and Religious

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

207,487,422.86

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/8/2014

SIGNATURE OF ATTORNEY OF RECORD

Jonathan A. Peretto, Pro Se

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE